



american women in radio and television inc.

1650 Tysons Boulevard ■ Suite 200 ■ McLean, Virginia 22102 ■ (703) 506-3290 ■ Fax (703) 506-3266

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February 5, 1997

BY HAND

Reed E. Hundt
Chairman
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Re: GN Docket No. 96-113; MM Docket 96-16

Dear Chairman Hundt:

As the FCC moves to implement its agenda for 1997, AWRT urges the Commission to carefully consider and evaluate whether the items on its agenda will provide full and equal opportunity for women in the communications industry. Specifically, as detailed below, AWRT urges you to: (1) retain a strong voice within the Commission for ensuring opportunities for women entrepreneurs and employees by continuing the important efforts of the Office of Communications Business Opportunities ("OCBO"); (2) make a firm commitment to undertake and complete a study on the number of communications companies owned by women to evaluate the foundation for Commission policies; and (3) initiate and complete a negotiated rulemaking on the long outstanding issue of streamlining the Commission's equal employment opportunity ("EEO") rules for mass media licensees.

I. FCC Streamlining Efforts Must Maintain a Strong Voice of Women, Minorities and Small Businesses with Direct Responsibility to the Chairman

Efforts to streamline the internal operations of the FCC should recognize the continued need for a voice in the FCC to articulate the concerns of small businesses and businesses owned by women and minorities. OCBO, under your leadership, has provided this effective voice for women. At this time of tremendous change in the communications industry OCBO serves as a vital link between the Commission, small businesses, minorities and women. OCBO's efforts in outreach have provided much needed publicity of ownership opportunities for small businesses, and businesses owned by women and minorities.

In the months ahead, the FCC will tackle issues that will have a significant impact on future opportunities for women, minorities and small businesses in the communications industry. In this dynamic time, it is critical that the FCC have an internal process that provides for full and

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adequate consideration of the implications of the Commission's policies for small businesses and those businesses owned by minorities and women. Women-owned businesses represent an increasingly important sector of the business economy. Such strides in ownership, however, have not occurred in the communications industry. An independent office, like OCBO, that reports directly to the Chairman and other Commissioners can ensure that policies adopted by the Commission reflect concerns of small businesses and women and minorities. We encourage you to maintain OCBO as a separate office with direct reporting responsibility to the Chairman.

II. A Study of Female Ownership Is Critical to Responsible Policy Decisions

AWRT also encourages you to make a commitment to complete an ownership study that includes current data and analysis of the number of communications licenses held by women-owned companies. An ownership study is important to the FCC's evaluation of bidding incentives for current and future auctions, for the FCC's elimination of market-entry barriers, and for the FCC's reports to Congress. AWRT has requested that the Commission complete such study for over four years. As AWRT has repeatedly demonstrated the Commission, as the regulatory agency responsible for awarding licenses, should collect this data. The only detailed female ownership data available today is Census data and severely outdated. The Commission has begun to collect ownership data for auctions. Further data collection is needed, however, in other licensing areas such as mass media. Indeed, in its recent Second Further Notice of Proposed Rulemaking on television ownership, MM Docket Nos. 91-221, & 87-7, the Commission itself requested current data on female ownership of communications companies demonstrating the continued vacuum of reliable and current female ownership data.

To the best of AWRT's knowledge no study is underway on female ownership. The study cannot wait. Current ownership data on female-owned communications licensees must be collected before the Commission disregards entirely bidding incentives that have proven to be essential to providing women-owned companies a realistic opportunity to acquire spectrum licenses through auctions. Bidding incentives targeted to women-owned firms have proven vital to disseminating licenses among a wide variety of applicants, including women-owned business as required by Section 309(j) of the Communications Act. While the Commission has put these policies on hold in the hopes of collecting evidence, the auctions continue and licensing opportunities for women vanish. The ownership study also is a critical component of the report the Commission must submit to Congress pursuant to Section 309(j)(12) that evaluates whether and to what extent women-owned businesses have participated successfully in the competitive bidding process. Furthermore, the historical foundation quantifying the rate of success of women-owned companies through licensing processes, other than auctions is important to assess the participation of women entrepreneurs in auctions.

A study is also important in identifying market entry barriers under Section 257 of the Communications Act. AWRT submitted extensive comments in that proceeding establishing the

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need for a study and targeted policies to promote female ownership. At the forum held in that proceeding, the Commission received important evidence from women entrepreneurs, Gloria Borland and Bonnie Erbae. Without completion of a study this year, ownership opportunities will continue to elude women.

III. A Negotiated Rulemaking Is the Best Approach to Streamlining the EEO Rules

Finally, AWRP urges the Commission to transform the current proceeding regarding streamlining the broadcast EEO rules into a negotiated rulemaking. This innovative approach to reaching consensus on revised rules worked exceptionally well in the hearing aid compatibility proceeding, CC Docket No. 87-124. A similar innovative approach is necessary on the important issue of EEO. AWRP believes a negotiated rulemaking can be expedient and increase the probability of the adoption of rules that are both effective and efficient for women, minorities and broadcasters.

We look forward to maintaining a working dialogue with your office on these important issues for women.

Sincerely,



Shelley Spencer
Director
AWRP

cc: Mr. William Caton (Secretary, FCC)
Phyllis Ingram (President, AWRP)
Terri Dickerson (Executive Director, AWRP)